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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) CASE NO. CR 15 0489 RS
Plaintiff,)
v.) STIPULATION AND [PROPOSED] ORDER TO
DOUGLAS LEE SMITH,) CONTINUE STATUS CONFERENCE AND
Defendant.) EXCLUDE TIME FROM OTHERWISE
) APPLICABLE SPEEDY TRIAL ACT
) CALCULATION
)
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STIPULATION

IT IS HEREBY STIPULATED by the parties, through undersigned counsel, that:

1. The parties appeared on February 21, 2017 at 2:30 p.m. for a status conference. Mr. Smith was represented by Ethan Balogh. Assistant United States Attorney Sarah Hawkins appeared for the government.

2. At the appearance, the parties jointly requested a change of plea hearing on May 23, 2017, a date agreed upon by the Court.

3. The parties further respectfully requested that the period from February 21, 2017 through and including May 23, 2017 should be excluded from the otherwise applicable Speedy Trial Act

1 computation because the continuance is necessary for effective preparation of counsel, taking into
2 account the exercise of due diligence.

3 4. The parties concur that granting the exclusion would allow the reasonable time necessary
4 for effective preparation of counsel and continuity of counsel. *See* 18 U.S.C. §3161(h)(7)(B)(iv). The
5 parties also agree that the ends of justice served by granting such an exclusion of time for the purposes
6 of effective preparation of counsel outweigh the best interests of the public and the defendant in a
7 speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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9 IT IS SO STIPULATED.

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11 DATED: February 21, 2017

BRIAN J. STRETCH
United States Attorney

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/s/
SARAH HAWKINS
Assistant United States Attorney

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16 DATED: February 21, 2017

/s/
ETHAN A. BALOGH
Counsel for Douglas Smith

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1 ~~PROPOSED~~ ORDER

2 Based upon the above-described Stipulation, THE COURT FINDS THAT the ends of justice
3 served by granting a continuance from February 21, 2017 to May 23, 2017 outweigh the best interest of
4 the public and the defendant in a speedy trial, and that failure to grant such a continuance would
5 unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence.

7 Accordingly, THE COURT ORDERS THAT:

8 1. The parties shall appear before the Court on May 23, 2017 at 2:30 p.m. for a change of
9 plea.

10 2. The period from February 21, 2017 through and including May 23, 2017 is excluded
11 from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. § 3161(h)(7)(A) &
12 (B)(iv).

13 IT IS SO ORDERED.

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15 DATED: 2/21/17


16 HON. RICHARD SEEBOORG
United States District Judge